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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,530	04/06/2004	Laszlo J. Kecske	ARL 03-60	4322
21364	7590	11/14/2008	EXAMINER	
U S ARMY RESEARCH LABORATORY ATTN AMSRL CS CC IP 2800 POWDER MILL RD ADELPHI, MD 207831197			WYSZOMIERSKI, GEORGE P	
ART UNIT		PAPER NUMBER		1793
MAIL DATE		DELIVERY MODE		11/14/2008 PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

1. The Amendment to the claims filed October 30, 2008 is not in compliance with 37 CFR 1.121 because it does not appear to amend the claims, but rather to be a copy of a previous amendment filed April 30, 2008. As such, the status identifiers and markings in the claims are incorrect. Specifically,

- a) The status identifiers of claims 1, 5, 6, 34, and 36-40 are incorrect (i.e. should be "previously presented").
- b) The markings in these claims do not compare the current text of these claims relative to the immediate prior version.
- c) Claim 35 does not include any status identifier.

In addition, the text of claim 40 should not be underlined.

2. The Declaration by Dr. Kecskes does not show results commensurate in scope with the rejected claims, which are directed to alloys having various amounts of copper, nickel, aluminum, and at least one Group IVA, IVB, VA, or VB element.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Wyszomierski whose telephone number is (571) 272-1252. The examiner can normally be reached on Monday thru Friday from 8:00 a.m. to 4:30 p.m. Eastern time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King, can be reached on (571) 272-1244. All patent application related correspondence transmitted by facsimile must be directed to the central facsimile number, (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/George Wyszomierski/  
Primary Examiner  
Art Unit 1793

GPW  
November 12, 2008